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7/28/05

Date

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Applicant: ALLEN Douglas J

Serial No.: 10/613619

Application Date: July 3, 2003

US Nat'l Entry

Date (if applicable):

For: 2-METHYL-THIENO-BENZODIAZEPINE FORMULATION

Docket No.: X11666C

Group Art Unit: 1618

Examiner:

SPEAR, JAMES M

Conf No.: 4376

TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Identification of Person Making This Disclaimer

I, Nelsen L. Lentz, am employed by Eli Lilly and Company, and I am an attorney of record in the above-identified patent application. In that capacity, I am authorized to sign this disclaimer on behalf of Eli Lilly and Company.

Identity of Assignee

I hereby verify that the assignee owning all of the interest in this application is:

Eli Lilly and Company
Lilly Corporate Center
Indianapolis, Indiana 46285

Recordal of Assignment in PTO

The assignment was recorded on May 8, 2000, Reel 10801, Frame 0715.

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Serial No. 10/613619

Extent of Interest

The extent of Eli Lilly and Company's interest is in the whole of this invention.

Disclaimer

I hereby disclaim the terminal part of any patent granted on this application, which would extend beyond the expiration date of:

United States Patent No. 6,617,321 B2 and hereby agree that any patent granted on this application shall be enforceable only for and during such period that the legal title to the patent shall be the same as the legal title to United States Patent No. 6,617,321 B2.

I do not disclaim any terminal part of any patent granted on this application prior to the expiration date of the full statutory term of United States Patent No. 6,617,321 B2 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its full statutory term other than as presently shortened by any terminal disclaimer.

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ELI LILLY AND COMPANY

By: 

Nelsen L. Lentz

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